IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

CRP.No. 1005 of 2000(B)

TLB.10/1990 of TALUK LAND BOARD, KOZHIKODE

REVN. PETITIONER:

MALANKARA MARTHOMA SYRIAN CHURCH,
KOZHIKODE DIOCESE REPRESENTED BY
DIOCESAN SECRETARY
REV. ABRAHAM CHACKO.

BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY TO GOVERNMENT
SECRETARIAT, TRIVANDRUM.

2. C.SREEDHARAN NAIR,
CHERIYARAMBATH HOUSE,
KAKKODI VILLAGE,
KOZHIKODE.

3. P.THANKAM, W/O. SREEDHARAN NAIR,
POZHIKKAL HUSE,
KUNDUPARAMBA.

4. THE HEAD MASTER,
GOVT. HIGH SCHOOL, KAKKODI.

5. THE PRESIDENT,
PARENT TEACHER'S ASSOCIATION,
GOVT. HIGH SCHOOL, KAKKODI.

BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKAN

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 02/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CMP NO.2081/2000 IN C.R.P. 1005/2000

DISMISSED

2.7.2007 SD/- PIUS C.KURIAKOSE, JUDGE.

/TRUE COPY/

P.A. TO JUDGE

PIUS C. KURIAKOSE, J.

C.R.P. NO. 1005 OF 2000

Dated this the 2nd day of July , 2007

O R D E R

Heard Sri. George Cherian, the learned counsel for the petitioner and Sri.Thomas John Ambookan, the learned Government Pleader for the respondents. My attention was drawn by the counsel for the petitioner to the Kerala Land Reforms (Amendment) Act 2005 and particularly the newly introduced Section 7E. Both sides will also conceded that the implications of the amendment have not been taken into account by the Taluk Land Board while passing the impugned order.

Under the above circumstances, I set aside the impugned order and remand the matter back to the Taluk Land Board, Kozhikode. The Taluk Land Board will issue notice to all the affected parties and take a fresh decision, having due regard to the implications of the provision introduced in the Land Reforms Act through the Kerala Land Reforms (Amendment) Act

2005, particularly Section 7 E. Since the matter is going back to the Taluk Land Board, the Taluk Land Board will reconsider all the issues which are seen decided under the impugned order and take fresh decision.

PIUS C. KURIAKOSE,

JUDGE.

Dpk

PIUS C.KURIAKOSE, J

CRP NO. 1005 OF 2000

O R D E R

2ND JULY 2007